

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88
ECF Case

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This document relates to the following case:

City of New York v. Amerada Hess Corp., et al.
Case No. 04 Civ. 3417

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**PLAINTIFF CITY OF NEW YORK'S NOTICE OF MOTION AND MOTION TO
STRIKE TO STRIKE DECLARATIONS OF MICHAEL ROMAN, GARY STUMPF,
AND NORMAN NOVICK**

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 23, 2009, at the Offices of McDermott Will & Emery at 340 Madison Avenue in New York, NY, before Special Master Ronald J. Hedges, Plaintiff the City of New York hereby moves this Court to enter an Order as follows:

To strike and not consider the declarations of: Michael Roman, No. 1:04-CV-03417, Dkt.# 358-10 (S.D.N.Y. July 16, 2009); Gary Stumpf, No. 1:04-CV-03417, Dkt.# 358-13 (S.D.N.Y. July 16, 2009); and Norman Novick, No. 1:04-CV-03417, Dkt.# 358-6 (S.D.N.Y. July 16, 2009).

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order granting the relief set forth in this Motion. In support of its Motion, Plaintiff relies upon the Memorandum of Law and the Declaration of Nicholas G. Campins filed concurrently herewith, and the pleadings, records and files in this action.

Dated: San Francisco, California

July 20, 2009

Respectfully submitted,

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/s/ NICHOLAS G. CAMPINS

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